

RECEIVED

JUL 17 2001

TECH CENTER 1600/2900

JUL 13 2001
PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

BRIGHT et al.

Group Art Unit: 1636

Application No.: 09/405,839

Examiner: T. Butler

Filed: September 27, 1999

FOR: IMPROVED PLANT GERM PLASM

#12/K.T.
7-17-01

Amdt

July 13, 2001

C

* * * * *

AMENDMENT

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated February 13, 2001, please enter the following amendments and remarks in the application as follows:

IN THE CLAIMS:

Please cancel claim 51 without prejudice or disclaimer.

Please enter the following amended claims

26. (Amended) An expression system functional in a plant comprising:
- (a) an inducible promoter sequence responsive to the presence or absence of an exogenous chemical inducer;
 - (b) either
 - (i) a gene encoding a repressor protein under control of said inducible

07/16/2001 5555H1 00000104 09405839

396.00 DP

01 FC:103

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Inventor(s): BRIGHT et al.

Appln. No.: 09 405,839

Series Code ↑ Serial No. ↑

Filed: September 27, 1999

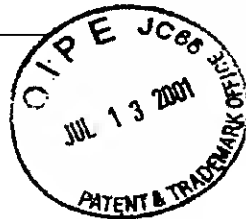
Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

REPLY/AMENDMENT/LETTERGroup Art Unit 1636
Examiner: T. Butler
Atty. Dkt. P 263754SEE 37090
M# Client Ref

Appln. Title: IMPROVED PLANT GERM PLASM

Date: July 13, 2001

#11/K.T.
7-1300
E.O.T.
2(MOS)

JUL 17 2001

RECEIVED

This is a reply/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated herein by reference and the signature below is treated as the signature to the attachment in absence of a signature thereto.

FEE REQUIREMENTS FOR CLAIMS AS AMENDED

1. Small Entity claim	Claims remaining after amendment	Highest number previously paid for	Present Extra	Large/Small Entity	Additional Fee	Fee Code
A. <input checked="" type="checkbox"/> NOT made B. <input type="checkbox"/> Withdrawn C. <input type="checkbox"/> made herewith D. <input type="checkbox"/> made previously						
For B & C See Required Separate Paper (Pat-256)						
2. Total Effective Claims	49	**minus 27	22	x \$18/\$9 =	+ \$396	103/203
3. Independent Claims		***minus 3	0	x \$80/\$40 =	+ \$0	102/202
4. If amendment enters proper multiple dependent claim(s) into this application for first time (leave blank if this is a reissue application) add				+ \$270/\$135 =	+ \$0	104/204
5. Original due Date: May 13, 2001	<input type="checkbox"/> NONE					
6. Petition is hereby made to extend the original due date to cover the date this response is filed for which the requisite fee is attached		(1 mo) (2 mos) (3 mos)	\$110/\$55 = \$390/\$195 = \$890/\$445 = \$1390/\$695 = \$1890/\$945 =	+ \$390		115/215 116/216 117/217 118/218 128/228
(Usable only for ≤ 2mo.OA --- 4 mos) (Usable only for 30 day/1mo.OA --- 5 mos)						
7. Enter any previous extension fee paid since above original due date and subtract	- \$0					
8. Extension Fee Attached	+ \$396					
9. If Terminal Disclaimer attached, add Rule 20(d) official fee	+ \$110/\$55				+ \$0	148/248
10. If IDS attached requires Official Fee under Rule 97 (c), or if Rule 97(d) Request	+ \$180				+ \$0	126 126
11. After-Final Request Fee per rules 129(a) and 17(r)	+ \$710/355				+ \$0	146/246
12. No. of additional inventions for examination per Rule 129(b)	x \$710/355 ea				+ \$0	149/249
13. Request for Continued Examination (RCE)	+ \$710/355				+ \$0	1179/1279
14. Petition fee for					+ \$0	
15. TOTAL FEE ENCLOSED =					\$786	

16. *If the entry in this space is less than entry in next space, the "Present Extra" result is "0".

17. **If the "Highest number previously paid for" in this space is less than 20, write "20" in this space.

18. ***If the "Highest number previously paid for" in this space is less than 3, write "3" in this space.

07/16/2001 SSESHE1 00000104 09405839

Our Deposit Account No. 03-3975)

02 FC:116

390.00 OP

(Our Order No. 70596 263754
C# M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Query: Is appeal deadline now? If so, file Notice of Appeals separately.

1600 Tysons Boulevard

McLean, VA 22102

Tel: (703) 905-2000

Atty/Sec: BET/LMR

Pillsbury Winthrop LLP
Intellectual Property Group

By Atty: Blair E. Taylor

Sig:

Reg #37,087

Reg. No. 44,370

Fax: (703) 905-2500

Tel: (703) 905-2198

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments